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PPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/661,898		09/14/2000	Jefferson P. Ward	10005231-1	9717
22879	7590	10/20/2005		EXAMINER	
		RD COMPANY	PHAM, THIERRY L		
		4 E. HARMONY RO OPERTY ADMINIS	ART UNIT	PAPER NUMBER	
FORT COLLINS, CO 80527-2400				2624	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.	Applicant(s)
09/661,898	WARD ET AL.
Examiner	Art Unit
Thierry L. Pham	2624

Before the Filing of an Appeal Brief	Examiner	Art Unit							
	Thierry L. Pham	2624							
The MAILING DATE of this communication appe	ears on the cover sheet with the c	correspondence add	ress						
 THE REPLY FILED <u>26 September 2005</u> FAILS TO PLACE TH		•							
☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:									
a) The period for reply expiresmonths from the mailing of									
The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO									
MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f	7).								
Extensions of time may be obtained under 37 CFR 1.136(a). The date on peen filed is the date for purposes of determining the period of extension a CFR 1.17(a) is calculated from: (1) the expiration date of the shortened state above, if checked. Any reply received by the Office later than three month pearned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	and the corresponding amount of the fee. atutory period for reply originally set in the	The appropriate extension final Office action; or (2)	on fee under 37 as set forth in (b)						
 The Notice of Appeal was filed on A brief in com of filing the Notice of Appeal (37 CFR 41.37(a)), or any e Since a Notice of Appeal has been filed, any reply must 	extension thereof (37 CFR 41.37(e)), to avoid dismissal	of the appeal.						
AMENDMENTS			,.						
The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below);									
(c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or									
(d) ☐ They present additional claims without canceling a NOTE: (See 37 CFR 1.116 and 41.33(a))	_	ejected claims.							
4. The amendments are not in compliance with 37 CFR 1.		ompliant Amendmen	t (PTOL-324).						
5. Applicant's reply has overcome the following rejection(s									
 Newly proposed or amended claim(s) would be a the non-allowable claim(s). 	allowable if submitted in a separate	e, timely filed amendn	nent canceling						
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:		vill be entered and an	explanation of						
Claim(s) allowed: Claim(s) objected to:									
Claim(s) rejected: <u>1,3-5,8,9,13,16 and 17</u> .									
Claim(s) withdrawn from consideration:									
AFFIDAVIT OR OTHER EVIDENCE									
8. The affidavit or other evidence filed after a final action, because applicant failed to provide a showing of good ar and was not earlier presented. See 37 CFR 1.116(e).									
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessa 	overcome <u>all</u> rejections under apperty and was not earlier presented.	eal and/or appellant fa See 37 CFR 41.33(d)	ails to provide a (1).						
10. The affidavit or other evidence is entered. An explanation of the property	on of the status of the claims after	entry is below or atta	ched.						
REQUEST FOR RECONSIDERATION/OTHER 11. ☑ The request for reconsideration has been consideration has been consideration has been consideration has been consideration.	dered but does NOT place the appl	ication in condition fo	r allowance						
See Continuation Sheet.	(DTO (DD)(00 DTO (1110) T	A1 / \							
12. Note the attached Information Disclosure Statement(s)	. (P10/SB/08 or P10-1449) Paper	NO(\$)							
13.	Holend &	farcia							
	GABRIEL GARCIA	A							

PRIMARY EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: The arguments presented by the applicants are not persuasive and newly added limitations "automatically" found in claims 1, 3, 5, 8-9, 13, 16-17 raises new issues that would require further consideration and/or search.